

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**UNOPPOSED MOTION TO UNSEAL
UNITED STATES' WITNESS LIST (DOC. 143) AND EXHIBIT LIST (DOC. 144)**

The United States hereby moves this Court for an order to unseal the United States' Witness List (Doc. 143) and Exhibit List (Doc. 144) and as basis states:

1. The Witness List and Exhibit List – along with the proposed Jury Instructions (Doc. 141) and proposed Voir Dire (Doc. 142) – were filed *ex parte* by the United States on December 9, 2016.
 2. On Dec. 14, 2016, the Court entered an Order to Show Cause (Doc. 159) no later than December 16, 2016, as to why these documents should not be unsealed and filed publicly.
 3. The United States did not file a brief to show good cause and instead, on December 15, 2016, filed open to the public an amended Witness List (Doc. 169) and an amended Exhibit List (Doc. 170) – as well as the Jury Instructions (Doc. 171) and Voir Dire (Doc. 172).
4. On December 21, 2016, the Court entered an Order (Doc. 180) declaring as moot its Order to Show Cause in light of the filings of Docs. 169-172.

5. Recently, the Defendant relayed to the United States that the Witness List and Exhibit List (Docs. 141, 142) were required for possible use in an appellate pleading.

WHEREFORE, for the foregoing reason, the United States respectfully requests that the Court enter an order to unseal the United States' Witness List (Doc. 143) and Exhibit List (Doc. 144).

Respectfully Submitted,

JAMES D. TIERNEY
Acting United States Attorney

s/ Electronically filed August 21, 2017
SEAN J. SULLIVAN
Assistant United States Attorney